

REMARKS

Claims 18-37 are pending. Claims 24-28, 33, 34 and 37 are withdrawn from consideration as being drawn to a non-elected species. Reconsideration and allowance in view of the following remarks are respectfully requested.

Claims 18-23, 29-32, 35 and 36 were rejected under 35 U.S.C. § 102(b) over McLintock (U.S. Patent 2,585,815). The rejection is respectfully traversed.

Claims 18 and 21 each recite a syringe comprising an outer tube, a gasket slidable in the outer tube, and a pusher inserted through an opening of a base end of the outer tube and operable for moving the gasket. A stopper is disposed on the pusher to be slidable along the longitudinal direction of the pusher. Fixing means are for selecting and fixing the position of the stopper on the pusher. An operating portion is provided in the stopper for performing a pressing operation, a traction operation or a pinching operation. The position of the stopper on the pusher can be regulated by releasing the fixation by the fixing means through an operation at the operating portion and the depth of insertion of the pusher into the outer tube is restricted by abutment of the stopper on a portion of the outer tube.

Page 3, paragraph no. 3 of the Office Action states that the pawl 29 of McLintock corresponds to the stopper of claim 1, and the rod 19 and the teeth 21 of McLintock correspond to the outer tube of claim 1. It is respectfully submitted that the pawl 29 does not correspond to the stopper of claim 1 and the rod 19 and teeth 21 do not correspond to the outer tube.

The rod 19 of McLintock is clearly solid and not hollow, i.e., is not a tube. Moreover, as discussed above, claims 18 and 21 each recite that a gasket is slidable in the outer tube. There is no structure in McLintock which can be reasonably

interpreted as a gasket slidable in the rod 19. Therefore, the rod 19 of McLintock cannot correspond to the claimed outer tube. Furthermore, as also discussed above, claims 18 and 21 each recite a pusher inserted through an opening of a base end of the outer tube and operable for moving the gasket. There is no opening in a base end of the rod 19 through which a pusher is inserted.

With respect to the pawl 29, as disclosed in column 2, lines 47-52 of McLintock, when the hand lever is depressed to slide the rod 19 a short but definite step downward, the rod 19 returns to its original position when the hand lever 24 is released by the action of the return spring 27. As further disclosed in column 3, lines 5-8, when the rod 19 is depressed, the pawl 29 and the plunger 11 are forced to move a step downward. There is no disclosure or suggestion by McLintock that the pawl 29 restricts a depth of insertion of the rod 19 by abutment of the pawl 29 on a portion of an outer tube, i.e. the cylinder 10 of McLintock. In the syringe of McLintock, the depth of insertion of the plunger 11 into the cylinder 10 is restricted by the amount that the rod 19 is slid when the lever 24 is depressed, not by abutment of the pawl 29 on a portion of the cylinder 10. The pawl 29 of McLintock never abuts on a portion of the cylinder 10 and thus does not correspond to the stopper of claim 18.

As McLintock does not disclose or suggest each and every feature of claims 18 and 21, McLintock cannot anticipate or render obvious claims 18 and 21.

Claims 19, 20, 22, 23, 29-32, 35 and 36 recite additional features of the invention and are allowable for the same reasons discussed above with respect to claims 18 and 21 and for the additional features recited therein.

Reconsideration and withdrawal of the rejection over McLintock are respectfully requested.

In view of the above remarks, it is respectfully submitted that all of the claims are allowable and that the entire application is in condition for allowance. It is also respectfully submitted that withdrawn claims 24-28, 33, 34 and 37 are allowable at least for the same reasons discussed above with respect to claims 18 and 21 and for the additional features recited therein. Reconsideration and withdrawal of the election of species requirement and rejoinder and allowance of claims 24-28, 33, 34 and 37 are respectfully requested.

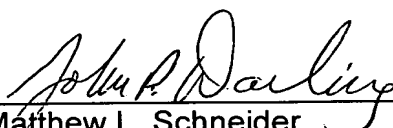
Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

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